

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Shunpei Yamazaki et al.	Art Unit :	2871
Serial No. :	10/807,273	Examiner :	Dung T. Nguyen
Filed :	March 24, 2004	Conf. No. :	4114
Title :	LIQUID CRYSTAL ELECTRO-OPTIC DEVICE		

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

OK TO ENTER: /DN/

REPLY TO ACTION OF AUGUST 20, 2008

In reply to the Final Office Action of August 20, 2008, applicants submit the following remarks.

Claims 43-102 are pending in the application with claims 43, 47, 51, 55, 59, 64, 69, 74, 79, 83, 87, 91, 95 and 99 being independent.

The claims have been rejected as being unpatentable over Kondo (JP 7-261181) in view of Funada (JP 53-048542).

With respect to claim 43 and its dependent claims, applicant requests reconsideration and withdrawal of this rejection because one of ordinary skill in the art would have had no reason to modify the device of Kondo by adding a transparent conductive layer over the second substrate as allegedly shown by Funada, and because Kondo teaches away from such a modification. In the device of Kondo, an electric field is applied parallel with a substrate surface. By contrast, in the device of Funada, the electrode 4, which is allegedly formed from a transparent conductive material, is used to apply an electric field perpendicularly to a substrate surface. As such, since Kondo operates in a completely different way from Funada, there would have been no reason to incorporate Funada's electrode into Kondo's device.

In addition, as noted at paragraphs [0003] to [0008] of the full translation of Kondo that is being filed with this reply, Kondo severely criticized devices that applied a vertical electric field (i.e., an electric field perpendicular to a substrate surface), and the very purpose of Kondo's device is to employ a horizontal electric field (i.e., an electric field parallel to a substrate surface) to solve the problems associated with vertical electric fields. Thus, Kondo affirmatively teaches away from the modification set forth in the rejection, and one of ordinary skill in the art would have had no reason to make that modification.

The rejection indicates that the modification would have been done in order to improve display characteristics and obtain an LCD with a fast response, and points to page 5, line 11 of the English translation of Funada. However, while that passage notes those benefits, it notes them as being benefits of the device of Funada, not as benefits of using the electrode 4. Thus, in view of these stated benefits, one of ordinary skill, at best, would have been motivated to replace Kondo's device with Funada's, not to modify Kondo's device in the manner set forth in the rejection.

Accordingly, for at least these reasons, the rejection of claim 43 and its dependent claims should be withdrawn.

Like claim 43, independent claims 47, 51, 55, 59, 64, 69 and 74 recite a transparent conductive material formed over a second substrate. Similarly, independent claims 79, 83, 87, 91, 95 and 99 recite a transparent conductive material over a liquid crystal layer such that the liquid crystal layer is located between the transparent conductive material and a substrate including a thin film transistor. Accordingly, the rejection of these claims and their dependent claims should also be withdrawn for the reasons discussed above.

Applicant submits that all claims are in condition for allowance.

The fee in the amount of \$130 in payment of the one-month extension fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 12/22/08



John F. Hayden
Reg. No. 37640

Customer No. 26171
Fish & Richardson P.C.
1425 K Street, N.W., 11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (877) 769-7945